

## **Item SPR05-40 Response Form**

**Title:** Probate Conservatorships: Appointment of a Successor Conservator (revise forms GC-310 and GC-340)

- ☐ **Agree** with proposed changes
- ☐ **Agree** with proposed changes **only if modified**
- ☐ **Do not agree** with proposed changes

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Name:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**Organization:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City, State, Zip:** \_\_\_\_\_

Please **write** or **fax** or **respond using the Internet** to:

**Address:** Ms. Romunda Price,  
Judicial Council, 455 Golden Gate Avenue,  
San Francisco, CA 94102  
**Fax:** (415) 865-7664      **Attention:** Romunda Price  
**Internet:** [www.courtinfo.ca.gov/invitationstocomment](http://www.courtinfo.ca.gov/invitationstocomment)

<b>DEADLINE FOR COMMENT:</b> 5:00 p.m., Monday, June 20, 2005
---

Your comments may be written on this *Response Form* or directly on the proposal or as a letter. If you are not commenting directly on this sheet please remember to attach it to your comments for identification purposes.

*Circulation for comment does not imply endorsement by the Judicial Council, the Rules and Projects Committee, or the Policy Coordination and Liaison Committee.  
All comments will become part of the public record of the council's action..*

### Invitation to Comment (SPR05-40)

Title	Probate Conservatorships: Appointment of a Successor Conservator (revise forms GC-310 and GC-340)
Summary	The <i>Petition for Appointment of Probate Conservator</i> and the <i>Order Appointing Probate Conservator</i> would be revised to provide for the appointment of a successor conservator, add allegations required by changes in the law since the forms were last amended, and eliminate or consolidate redundant allegations.
Source	Probate and Mental Health Advisory Committee, the Hon. Don Edward Green, Chair
Staff	Douglas C. Miller, Committee Counsel, 415-865-7535, douglas.miller@jud.ca.gov
Discussion	<p>The form petition and order for appointment of a probate conservator would be revised primarily to permit them to be used for the appointment of a successor conservator without the extensive alterations that are now required. Additional revisions are intended to improve the forms' appearance, clarity, and ease of use by practitioners and courts; to eliminate unnecessary duplication; and to provide additional allegations concerning domestic partners (form GC-340), nonprofit corporations as conservators (both forms), and conservators required to register with the Department of Justice under Probate Code section 2850, et seq. (both forms).</p> <p>The revised petition, form GC-310, and order, form GC-340, would include optional checkboxes in the title caption and throughout both forms, to be checked where the appointment of a successor conservator is requested or ordered. See, e.g., items 1a, 1b, 1c, and 3c of the revised petition; and items 1, 6, 15, of the revised order. References to the "proposed conservatee" would be changed throughout both forms to the "conservatee" or the "(proposed) conservatee," where the references apply to successor appointments only or to both initial and successor appointments.</p> <p>Other changes in the forms to accomplish the appointment of a successor conservator are based on differences between the initial appointment of a conservator and the appointment of a successor, and statutory requirements for the latter under Probate Code section 2680, et seq.</p> <p>These differences include:</p>

## Invitation to Comment (SPR05-40)

1. The jurisdictional facts alleged in item 3a of the existing petition are unnecessary in a petition for appointment of a successor conservator because those facts were established on the initial appointment and the original proceeding is continuing. The revised petition would include an instruction for this item limiting it to petitions for initial appointment only, and a checkbox indicating that the item does not always apply.
2. The conservatee need not be cited to appear for the hearing on a petition for appointment of a successor conservator, and may decline to attend the hearing for any or no reason. (Prob. Code, §§ 2683, 2686.)

The revised order would refer to the conservatee as a “citee” only in items or statements within items that apply to the initial appointment of a conservator (see items 1e and 1f of revised form GC-340). Separate items or statements identifying the conservatee rather than the “citee” would be provided where references are to the appointment of a successor conservator. (See items 1e, 1f, and 1g of revised form GC-340.)

The revised petition would contain allegations concerning the (proposed) conservatee’s attendance at the hearing in item 8. Items 8b–8d, containing allegations addressing the mandatory attendance of a proposed conservatee unless excused, would be preceded by instructions limiting their use to initial appointment hearings. A new item 8e would be added applicable to successor appointments only, stating that the conservatee will or will not attend the hearing.

This new item is a required allegation in a petition for appointment of a successor conservator (Prob. Code, § 2682(f)). The allegation is important for successor conservator appointment hearings because it informs the court whether the court investigator will be required to interview the conservatee before the hearing. (See Prob. Code, § 2684.)

3. The other required allegations for a petition for appointment of a successor conservator under Probate Code section 2682 are

### Invitation to Comment (SPR05-40)

located in the following indicated items in the revised form GC-310:

- (a) Request for appointment of a successor conservator and the name and address of the proposed successor (Prob. Code, § 2682(a)), item 1;
  - (b) The names and addresses of the spouse or domestic partner, and the second degree relatives of the conservatee (Prob. Code, § 2682(b)), item 11;
  - (c) Whether the petitioner is a creditor or debtor of the conservatee (Prob. Code, § 2682(c)), item 3b;
  - (d) A conservatee's status as a patient of a state institution under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services, and the name of the treating institution (Prob. Code, § 2682(d)), item 4a; and
  - (e) Whether or not the conservatee is receiving or entitled to receive benefits from the Veterans Administration, and the estimated monthly benefit payable by the Veteran's Administration for the conservatee (Prob. Code, § 2682(e)), item 4b.
4. Other proposed changes in the form petition that are necessary or appropriate for its use as a petition for appointment of a successor conservator are as follows:
- (a) A new item 5b would call for statement of the reasons why appointment of a successor conservator is necessary. This item would also contain an instruction advising that the appointment of a limited conservator after the death of a predecessor is a petition for the initial appointment of a conservator. (See Prob. Code § 1860.5(a)(1).)
  - (b) The instructions for item 5e of the revised petition (item 5d in the current petition) would be revised to advise that the *Confidential Supplemental Information* statement, form GC-312, is to be filed only for the initial appointment of a conservator. This form discloses facts showing that a proposed conservatee needs a conservator. It is unnecessary for the appointment of a successor.
  - (c) A new item 3e(1) would permit a petitioner for appointment

## Invitation to Comment (SPR05-40)

of a successor conservator to estimate the value of the real and personal property of the estate by reporting its appraised value in the hands of his or her predecessor. This item is taken from a recommendation in the CEB's publication on conservatorships, which shows a current form petition modified to substitute the previously appraised value of these assets for the petitioner's estimated value.<sup>1</sup> The revised form would permit the use of these values where the entire estate had been appraised during the predecessor's administration, but would also provide space for estimated values of real and personal property where it has not, such as when the change of administration takes place before the predecessor has filed a complete inventory of the estate.

5. The following additional changes in the form petition or order, as indicated, would also be made:
  - a. Items would be added to the list of proposed conservators in item 3c of the petition to include in the list (1) a bank or trust company—now named in the list of petitioners in item 3d but not included in the list of proposed conservators; (2) a nonprofit corporation authorized to be appointed as a conservator under Probate Code section 2104; and (3) a person who has registered with the Statewide Registry under Probate Code section 2850, et seq., or is exempt from registration;
  - b. The proposed successor conservator would be added to the list of petitioners under item 3d of the petition, replacing current item (8), a private professional conservator under Probate Code section 2340, et seq. Private professionals who petition for appointment would make the statement of their status required by section 2342(b) by checking this item and item 3c(7) (item 3c(5) in the current form);
  - c. Item 9 of the current form petition, concerning independent powers under Probate Code section 2590, would be eliminated as redundant and its contents folded into item 1d

---

<sup>1</sup> 2 California Conservatorships and Guardianships (Cont.Ed.Bar 2003) §20.22, p. 1264.

## Invitation to Comment (SPR05-40)

of the revised petition;<sup>2</sup>

- d. Instructions for items 1h and 1i of the petition, pertaining to limited conservatorships, would be modified to remind petitioners also to complete item 1j, concerning orders limiting civil and legal rights of limited conservatees;
- e. Item 1k of the petition, concerning orders relating to dementia under Probate Code section 2356.5, would be modified to refer to Judicial Council forms GC-335 and GC-335A, the form capacity declarations that must be filed to support dementia powers, and to describe the medical professionals authorized to sign them;
- f. Items 8c and 10b of the existing petition would be revised (as items 8c and 9b), to refer to Judicial Council form GC-335, the form capacity declaration that must be filed to support the relief requested in those items, and to describe the persons authorized to sign the declaration;
- g. Item 11 of the revised petition (item 12 of the existing petition) would be revised to specify the (proposed) conservatee's second degree relatives whose names and addresses must be stated, and to combine the options in existing items 12(b) and (c) ("none" or "not known") into one item (b). This combination is proposed because in either event the deemed relatives specified in Probate Code section 1821(b)(1–4) must be listed.
- h. A new item 12 would be added to the revised petition, alleging that the *Confidential Conservator Screening Form*, form GC-314, is submitted with the petition, as required by California Rules of Court, rule 7.1050(a). The item would have a checkbox and an instruction because banks and trust companies are exempt from this requirement.
- i. The order, form GC-340, would be revised to provide a new item 16, findings concerning the status of the conservator or successor conservator as domestic partner or former

---

<sup>2</sup> See the discussion concerning item 1d in the CEB conservatorship treatise, 1 California Conservatorships and Guardianships (Cont.Ed.Bar. 2003), § 6.20, at p. 299.

## Invitation to Comment (SPR05-40)

domestic partner of the conservatee (Prob. Code, § 1813.1). The order, unlike the petition, was not revised to incorporate this provision after section 1813.1 was enacted in 2001;

- j. Allegations supporting the appointment of a conservator in item 5c of the petition would be centralized on only one page devoted entirely to those allegations. The space available for these allegations should be sufficient in most cases without resort to attachments. These allegations should not be detailed factual statements. Form GC-312, *Confidential Supplemental Information*, a declaration that must be filed by most prospective conservators, provides the detailed factual statements about the conservatee that will support shorter, more general allegations in the petition; and
- k. Space available for the list of the conservatee's spouse, domestic partner, and relatives in item 11 of the revised petition (item 12 of the current petition) would be expanded from two to seven persons.

Attached are copies of the following, at the pages indicated:

- 1. Revised form GC-310, *Petition for Appointment of Probate Conservator*, at pages 7–12;
- 2. Existing form GC-310 at pages 13–17;
- 3. Revised form GC-340, *Order Appointing Probate Conservator*, at pages 18–20; and
- 4. Existing form GC-340 at pages 21–23.

Attachments

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):      <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO.:</div> <div>FAX NO. (Optional):</div> </div> E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	<b>FOR COURT USE ONLY</b>      <div style="font-size: 1.2em; font-weight: bold;">           Draft 6            03/08/05            Not Approved            by the Judicial            Council         </div>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF (Name):   <div style="text-align: right;">(PROPOSED) CONSERVATEE</div>	
<b>PETITION FOR APPOINTMENT OF</b> <input type="checkbox"/> <b>SUCCESSOR</b> <b>PROBATE CONSERVATOR OF THE</b> <input type="checkbox"/> <b>PERSON</b> <input type="checkbox"/> <b>ESTATE</b> <input type="checkbox"/> <b>Limited Conservatorship</b>	CASE NUMBER:  <div style="display: flex; justify-content: space-between;"> <div>HEARING DATE:</div> <div>DEPARTMENT:</div> </div>

1. **Petitioner (name):****requests that**

- a. (Name):  
(Address):

(Telephone):

**be appointed** ☐ **successor** ☐ conservator ☐ limited conservator  
 of the PERSON of the (proposed) conservatee and Letters issue upon qualification.

- b. (Name):  
(Address):

(Telephone):

**be appointed** ☐ **successor** ☐ conservator ☐ limited conservator  
 of the ESTATE of the (proposed) conservatee and Letters issue upon qualification.

- c. (1) ☐ bond not be required ☐ because the proposed ☐ **successor** conservator is a corporate fiduciary or an exempt government agency. ☐ for the reasons stated in Attachment 1c.
- (2) ☐ bond be fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by law. (Specify reasons in Attachment 1c if the amount is different from the minimum required by Probate Code section 2320.)
- (3) ☐ \$ \_\_\_\_\_ in deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):
- d. ☐ orders authorizing independent exercise of powers under Probate Code section 2590 be granted.  
 Granting the proposed ☐ **successor** conservator of the estate powers to be exercised independently under Probate Code section 2590 would be to the advantage and benefit and in the best interest of the conservatorship estate. (Specify orders, powers, and reasons in Attachment 1d.)
- e. ☐ orders relating to the capacity of the (proposed) conservatee under Probate Code section 1873 or 1901 be granted. (Specify orders, facts, and reasons in Attachment 1e.)
- f. ☐ orders relating to the powers and duties of the proposed ☐ **successor** conservator of the person under Probate Code sections 2351–2358 be granted. (Specify orders, facts, and reasons in Attachment 1f.)
- g. ☐ the (proposed) conservatee be adjudged to lack the capacity to give informed consent for medical treatment or healing by prayer and that the proposed ☐ **successor** conservator of the person be granted the powers specified in Probate Code section 2355. (Complete item 9 on page 5.)

Do NOT use this form for a temporary conservatorship.

CONSERVATORSHIP OF (Name):  <div style="text-align: right; padding-top: 20px;">CONSERVATEE</div>	CASE NUMBER:
--	--------------

1. h. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed ☐ successor limited conservator of the person under Probate Code section 2351.5 be granted. (Specify orders, powers, and duties in Attachment 1h and complete item 1j.)
- i. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed ☐ successor limited conservator of the estate under Probate Code section 1830(b) be granted. (Specify orders, powers, and duties in Attachment 1i and complete item 1j.)
- j. ☐ (for limited conservatorship only) orders limiting the civil and legal rights of the (proposed) limited conservatee be granted. (Specify limitations in Attachment 1j.)
- k. ☐ orders related to dementia placement or treatment as specified in the Attachment Requesting Special Orders Regarding Dementia (form GC-313) under Probate Code section 2356.5 be granted. A Capacity Declaration—Conservatorship (form GC-335) and Dementia Attachment to Capacity Declaration—Conservatorship (form GC-335A), executed by a licensed physician or by a licensed psychologist acting within the scope of his or her licensure with at least two years experience diagnosing dementia, ☐ are filed herewith. ☐ will be filed before the hearing.
- l. ☐ other orders be granted. (Specify in Attachment 1l.)

2. (Proposed) conservatee is (name):

(Present address):

(Telephone):

3. a. ☐ **Jurisdictional facts** (initial appointment only): The proposed conservatee has no conservator within California and is a

- (1) ☐ resident of California and
- (a) ☐ a resident of this county.
- (b) ☐ not a resident of this county, but commencement of the conservatorship in this county is in the best interests of the proposed conservatee. (Specify reasons in Attachment 3a.)
- (2) ☐ nonresident of California but
- (a) ☐ is temporarily living in this county, or
- (b) ☐ has property in this county, or
- (c) ☐ commencement of the conservatorship in this county is in the best interests of the proposed conservatee. (Specify reasons in Attachment 3a.)

b. **Petitioner**

- (1) ☐ is ☐ is not a **creditor** or an agent of a creditor of the (proposed) conservatee.
- (2) ☐ is ☐ is not a **debtor** or an agent of a debtor of the (proposed) conservatee.

c. **Proposed** ☐ **successor conservator** is (check all that apply):

- (1) ☐ a nominee. (Affix nomination as Attachment 3c.)
- (2) ☐ the spouse of the (proposed) conservatee.
- (3) ☐ the domestic partner or former domestic partner of the (proposed) conservatee.
- (4) ☐ a relative of the (proposed) conservatee as (specify relationship):
- (5) ☐ a bank ☐ other entity authorized to conduct the business of a trust company.
- (6) ☐ a nonprofit charitable corporation that meets the requirements of Probate Code section 2104.
- (7) ☐ a private professional conservator, as defined in Probate Code section 2341, who has filed with the court the information statement required by Probate Code section 2342.
- (8) (a) ☐ registered with the Statewide Registry of Private Conservators and Guardians maintained by the Department of Justice under Probate Code sections 2850–2855. The current registration declaration on file will expire on (date):
- (b) ☐ exempt from statewide registration under Probate Code section (specify): (Explain basis for exemption in Attachment 3c.)
- (9) ☐ other (specify):

CONSERVATORSHIP OF (Name):  <div style="text-align: right; padding-top: 20px;">CONSERVATEE</div>	CASE NUMBER:
--	--------------

3. d. **Petitioner is**

- (1) ☐ the (proposed) conservatee.
- (2) ☐ the spouse of the (proposed) conservatee.
- (3) ☐ the domestic partner or former domestic partner of the (proposed) conservatee.
- (4) ☐ a relative of the (proposed) conservatee as *(specify relationship)*:
- (5) ☐ a bank ☐ other entity authorized to conduct the business of a trust company.
- (6) ☐ a state or local public entity, officer, or employee.
- (7) ☐ an interested person or friend of the (proposed) conservatee.
- (8) ☐ the proposed ☐ successor conservator.
- (9) ☐ the guardian of the proposed conservatee.

e. **Character and estimated value of the property of the estate** *(complete items (1) or (2) and (3), (4), and (5).):*

- (1) ☐ *(For appointment of successor conservator only, where complete Inventory and Appraisal filed by predecessor):*  
 Personal property: \$ \_\_\_\_\_, per Inventory and Appraisal filed in this proceeding on \_\_\_\_\_  
*(specify dates of filing of all Inventories and Appraisals):*

(2) ☐ Estimated value of personal property: \$ \_\_\_\_\_

(3) Annual gross income from

- (a) real property: \$ \_\_\_\_\_
- (b) personal property: \$ \_\_\_\_\_
- (c) pensions: \$ \_\_\_\_\_
- (d) wages: \$ \_\_\_\_\_
- (e) public assistance benefits: \$ \_\_\_\_\_
- (f) other: \$ \_\_\_\_\_

(4) **Total** of (1) or (2) and (3): \$ \_\_\_\_\_

(5) Real property: \$ \_\_\_\_\_

- (a) ☐ per Inventory and Appraisal identified in item (1).
- (b) ☐ estimated value.

4. **(Proposed) conservatee**

a. ☐ is ☐ is not a patient in or on leave of absence from a state institution under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services *(specify state institution)*:

b. ☐ is receiving or entitled to receive ☐ is neither receiving nor entitled to receive benefits from the Department of Veterans Affairs *(estimate amount of monthly benefit payable)*: \$ \_\_\_\_\_

c. ☐ is ☐ is not able to complete an affidavit of voter registration.

5. a. ☐ **Proposed conservatee** *(initial appointment of conservator only)*

- (1) ☐ is an adult.
- (2) ☐ will be an adult on the effective date of the order *(date)*:
- (3) ☐ is a married minor.
- (4) ☐ is a minor whose marriage has been dissolved.

b. ☐ **Vacancy in office of conservator** *(appointment of successor conservator only. A petition for appointment of a limited conservator after the death of a predecessor is a petition for initial appointment. (Prob. Code, § 1860.5(a)(1).)*

There is a vacancy in the office of conservator of the ☐ person ☐ estate for the reasons ☐ specified in Attachment 5b. ☐ specified below.

CONSERVATORSHIP OF <i>(Name)</i> :  <div style="text-align: right;">CONSERVATEE</div>	CASE NUMBER:
---	--------------

5. **c. (Proposed) conservatee** requires a conservator and is

- (1) ☐ unable to properly provide for his or her personal needs for physical health, food, clothing, or shelter.  
 Supporting facts are ☐ specified in Attachment 5c(1) ☐ as follows:

- (2) ☐ substantially unable to manage his or her financial resources or to resist fraud or undue influence.  
 Supporting facts are ☐ specified in Attachment 5c(2) ☐ as follows:

CONSERVATORSHIP OF (Name):  <div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>	CASE NUMBER:  <div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>
CONSERVATEE	

5. d. ☐ **(Proposed) conservatee** voluntarily requests the appointment of a ☐ **successor conservator**.  
*(Specify facts showing good cause in Attachment 5(d).)*
- e. ☐ **Confidential Supplemental Information** (form GC-312) is filed with this petition. *(Initial appointment of conservator only. All petitioners must file this form except banks and other entities authorized to do business as a trust company.)*
- f. **(Proposed) conservatee** ☐ is ☐ is not developmentally disabled as defined in Probate Code section 1420. Petitioner is aware of the requirements of Probate Code section 1827.5. *(Specify the nature and degree of the alleged disability in Attachment 5f).*
6. ☐ **Spouse of petitioner or (proposed) conservatee** *(If either the **petitioner** or the **proposed conservator** is the spouse of the (proposed) conservatee, petitioner must answer a or b.)*
- a. ☐ The (proposed) conservatee's spouse is not a party to any action or proceeding against the (proposed) conservatee for legal separation, dissolution of marriage, annulment, or adjudication of nullity of their marriage.
- b. ☐ Although the (proposed) conservatee's spouse is a party to an action or proceeding against the (proposed) conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage, or has obtained a judgment in one of these proceedings, it is in the best interests of the (proposed) conservatee that:
- (1) ☐ a ☐ **successor conservator** be appointed.
- (2) ☐ the spouse be appointed as the ☐ **successor conservator**.
- (If you checked item 6b(1) or (2) or both, specify the facts and reasons in Attachment 6b.)*
7. ☐ **Domestic partner of petitioner or (proposed) conservatee** *(If either the **petitioner** or the **proposed conservator** is the domestic partner or former domestic partner of the (proposed) conservatee, petitioner must answer a or b):*
- a. ☐ The domestic partner of the (proposed) conservatee has not terminated and does not intend to terminate the domestic partnership.
- b. ☐ Although the domestic partner or former domestic partner of the (proposed) conservatee intends to terminate or has terminated the domestic partnership, it is in the best interest of the (proposed) conservatee that:
- (1) ☐ a ☐ **successor conservator** be appointed.
- (2) ☐ the domestic partner or former domestic partner be appointed as the ☐ **successor conservator**.
- (If you checked item 7b(1) or (2) or both, specify the facts and reasons in Attachment 7b.)*
8. **(Proposed) conservatee** *(check all that apply):*
- a. ☐ will attend the hearing AND ☐ is the petitioner ☐ is not the petitioner AND ☐ has ☐ has not nominated the proposed ☐ **successor conservator**.
- b. ☐ *(initial appointment of conservator only):* is able but unwilling to attend the hearing AND ☐ does ☐ does not wish to contest the establishment of a conservatorship, ☐ does ☐ does not object to the proposed conservator, AND ☐ does ☐ does not prefer that another person act as conservator.
- c. ☐ *(initial appointment of conservator only):* is unable to attend the hearing because of medical inability. A **Capacity Declaration—Conservatorship** (form GC-335), executed by a licensed medical practitioner or an accredited religious practitioner ☐ is filed with this petition. ☐ will be filed before the hearing.
- d. ☐ *(initial appointment of conservator only):* is not the petitioner, is out of state, and will not attend the hearing.
- e. ☐ *(appointment of successor conservator only):* will not attend the hearing.
9. ☐ **Medical treatment of (proposed) conservatee**
- a. There is no form of medical treatment for which the (proposed) conservatee has the capacity to give an informed consent.
- b. A **Capacity Declaration—Conservatorship** (form GC-335) executed by a licensed physician or by a licensed psychologist acting within the scope of his or her licensure, stating that the (proposed) conservatee lacks the capacity to give informed consent for any form of medical treatment and giving reasons and the factual basis for this conclusion, ☐ is filed with this petition ☐ will be filed before the hearing.
- c. (Proposed) conservatee ☐ is ☐ is not an adherent of a religion that relies on prayer alone for healing, as defined in Probate Code section 2355(b).
10. ☐ **Temporary conservatorship**  
 Filed with this petition is a *Petition for Appointment of Temporary Conservator* (form GC-110).

CONSERVATORSHIP OF (Name):  <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>	CASE NUMBER:  <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>
CONSERVATEE	

**11. (Proposed) conservatee's relatives**

The names, residence addresses, and relationships of the spouse or registered domestic partner and the second-degree relatives of the (proposed) conservatee (his or her parents, grandparents, children, grandchildren, and brothers and sisters), so far as known to petitioner, are

- a. ☐ listed below.
- b. ☐ not known, or none are now living, so the (proposed) conservatee's deemed relatives under Probate Code section 1821(b)(1)–(4) are listed below.

	<u>Name and relationship to conservatee</u>	<u>Residence address</u>
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		

☐ Continued on Attachment 11.

**12. ☐ Confidential Conservator Screening Form**

Submitted with this petition is a *Confidential Conservator Screening Form*, form GC-314, completed and signed by the proposed ☐ successor conservator. (Required for all proposed conservators except banks and trust companies.)

**13. ☐ Court investigator**

Filed with this petition is a proposed *Order Appointing Court Investigator* (form GC-330).

14. Number of pages attached: \_\_\_\_\_

Date:

(TYPE OR PRINT NAME OF ATTORNEY FOR PETITIONER)	(SIGNATURE OF ATTORNEY FOR PETITIONER)

*(All petitioners must also sign (Prob. Code, § 1020; Cal. Rules of Court, rule 7.103).)*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF PETITIONER)	(SIGNATURE OF PETITIONER)
(TYPE OR PRINT NAME OF PETITIONER)	(SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):  _____  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CONSERVATORSHIP OF (Name): _____  <div style="text-align: right;">PROPOSED CONSERVATEE</div>	
<b>PETITION FOR APPOINTMENT OF PROBATE CONSERVATOR OF THE</b> <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE <input type="checkbox"/> Limited Conservatorship	CASE NUMBER: _____

1. **Petitioner (name):**

**requests that**

a. (Name and address):

(Telephone):

**be appointed** ☐ conservator ☐ limited conservator of the PERSON of the proposed conservatee and Letters issue upon qualification.

b. (Name and address):

(Telephone):

**be appointed** ☐ conservator ☐ limited conservator of the ESTATE of the proposed conservatee and Letters issue upon qualification.

- c. (1) ☐ bond not be required ☐ because proposed conservator is a corporate fiduciary or an exempt government agency ☐ for the reasons stated in Attachment 1c.
- (2) ☐ bond be fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by law. (Specify reasons if the amount is different from the minimum required by Probate Code section 2320.)
- (3) ☐ \$ \_\_\_\_\_ in deposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):
- d. ☐ orders authorizing independent exercise of powers under Probate Code section 2590 be granted. (Specify powers and reasons in Attachment 1d.)
- e. ☐ orders relating to the capacity of the proposed conservatee under Probate Code section 1873 or 1901 be granted. (Specify orders, facts, and reasons in Attachment 1e.)
- f. ☐ orders relating to the powers and duties of the proposed conservator of the person under Probate Code sections 2351–2358 be granted. (Specify orders, facts, and reasons in Attachment 1f.)
- g. ☐ the proposed conservatee be adjudged to lack the capacity to give informed consent for medical treatment or healing by prayer and that the proposed conservator of the person be granted the powers specified in Probate Code section 2355.
- h. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the person under Probate Code section 2351.5 be granted. (Specify powers and duties in Attachment 1h.)
- i. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the estate under Probate Code section 1830(b) be granted. (Specify powers and duties in Attachment 1i.)
- j. ☐ (for limited conservatorship only) orders limiting the civil and legal rights of the proposed limited conservatee be granted. (Specify limitations in Attachment 1j.)
- k. ☐ orders related to dementia treatment or placement as specified in the Attachment Requesting Special Orders Regarding Dementia (form GC-313) under Probate Code section 2356.5 be granted.
- l. ☐ other orders be granted. (Specify in Attachment 1l.)

CONSERVATORSHIP OF (Name): <div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>	CASE NUMBER: <div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>
PROPOSED CONSERVATEE	

2. **Proposed conservatee** is (name):  
 (Present address):

(Telephone):

3. a. **JURISDICTIONAL FACTS** The proposed conservatee has no conservator within California and is a

- (1) ☐ resident of California and
- (a) ☐ a resident of this county.
- (b) ☐ not a resident of this county, but commencement of the conservatorship in this county is in the best interests of the proposed conservatee. *(Specify reasons in Attachment 3a.)*
- (2) ☐ nonresident of California but
- (a) ☐ is temporarily living in this county, **or**
- (b) ☐ has property in this county, **or**
- (c) ☐ commencement of the conservatorship in this county is in the best interests of the proposed conservatee. *(Specify reasons in Attachment 3a.)*

**b. Petitioner**

- (1) ☐ is ☐ is not a **creditor** or an agent of a creditor of the proposed conservatee.
- (2) ☐ is ☐ is not a **debtor** or an agent of a debtor of the proposed conservatee.

**c. Proposed conservator is**

- (1) ☐ a nominee. *(Affix nomination as Attachment 3c.)*
- (2) ☐ the spouse of the proposed conservatee.
- (3) ☐ the domestic partner or former domestic partner of the proposed conservatee.
- (4) ☐ a relative of the proposed conservatee as *(specify relationship):*
- (5) ☐ a private professional conservator, as defined in Probate Code section 2341, who has filed with the county clerk the information statement required by Probate Code section 2342.
- (6) ☐ other *(specify):*

**d. Petitioner is**

- (1) ☐ the proposed conservatee.
- (2) ☐ the spouse of the proposed conservatee.
- (3) ☐ the domestic partner or former domestic partner of the proposed conservatee.
- (4) ☐ a relative of the proposed conservatee as *(specify relationship):*
- (5) ☐ a state or local public entity, officer, or employee.
- (6) ☐ a bank ☐ other entity authorized to conduct the business of a trust company.
- (7) ☐ an interested person or friend of the proposed conservatee.
- (8) ☐ a private professional conservator who has filed the information statement (Probate Code, § 2342).
- (9) ☐ the guardian of the proposed conservatee.

**e. Character and estimated value of the property of the estate**

- |                                 |           |                       |
|---------------------------------|-----------|-----------------------|
| (1) Personal property:          | \$        | (3) Real property: \$ |
| (2) Annual gross income from    |           |                       |
| (a) real property:              | \$        |                       |
| (b) personal property:          | \$        |                       |
| (c) pensions:                   | \$        |                       |
| (d) wages:                      | \$        |                       |
| (e) public assistance benefits: | \$        |                       |
| (f) other:                      | \$        |                       |
| <b>Total of (1) and (2):</b>    | <b>\$</b> |                       |

**4. Proposed conservatee**

- a. Proposed Conservatee ☐ is ☐ is not a patient in or on leave of absence from a state institution under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services *(specify state institution):*
- b. Proposed conservatee ☐ is receiving or entitled to receive ☐ is neither receiving nor entitled to receive benefits from the Department of Veterans Affairs *(estimate amount of monthly benefit payable):* \$
- c. Proposed conservatee ☐ is ☐ is not able to complete an affidavit of voter registration.

CONSERVATORSHIP OF <i>(Name)</i> :  <div style="text-align: right;">PROPOSED CONSERVATEE</div>	CASE NUMBER:  
--	----------------------

5. a. **Proposed conservatee**

- (1) ☐ is an adult.
- (2) ☐ will be an adult on the effective date of the order *(date)*:
- (3) ☐ is a married minor.
- (4) ☐ is a minor whose marriage has been dissolved.

b. **Proposed conservatee** requires a conservator and is

- (1) ☐ unable to properly provide for his or her personal needs for physical health, food, clothing, or shelter.  
 Supporting facts are ☐ specified in Attachment 5b(1) ☐ as follows:

- (2) ☐ substantially unable to manage his or her financial resources or to resist fraud or undue influence.  
 Supporting facts are ☐ specified in Attachment 5b(2) ☐ as follows:

☐ Continued on page 4.

CONSERVATORSHIP OF (Name):  	CASE NUMBER:  
PROPOSED CONSERVATEE	

5. b. (2) (continued)

- c. ☐ **Proposed conservatee** voluntarily requests the appointment of a conservator. (Specify facts showing good cause in Attachment 5(c).)
- d. ☐ Confidential Supplemental Information (form GC-312) is filed with this petition. (All petitioners must file this form except banks and other entities authorized to do business as a trust company.)
- e. **Proposed conservatee** ☐ is ☐ is not developmentally disabled as defined in Probate Code section 1420 (specify the nature and degree of the alleged disability in Attachment 5e). Petitioner is aware of the requirements of Probate Code section 1827.5.
6. (If either the **petitioner** or the **proposed conservator** is the spouse of the proposed conservatee, petitioner must answer a or b.)
- a. ☐ The spouse is not a party to any action or proceeding against the proposed conservatee for legal separation, dissolution of marriage, annulment, or adjudication of nullity of their marriage.
- b. ☐ Although the spouse is a party to an action or proceeding against the proposed conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage, or has obtained a judgment in one of these proceedings, it is in the best interests of the proposed conservatee that:
- (1) ☐ a conservator be appointed.
- (2) ☐ the spouse be appointed as the conservator. (If you checked item 6b(1) or (2) or both, specify the facts and reasons in Attachment 6b.)
7. (If either the **petitioner** or the **proposed conservator** is the domestic partner or former domestic partner of the proposed conservatee, petitioner must answer a or b.)
- a. ☐ The domestic partner of the proposed conservatee has not terminated and does not intend to terminate the domestic partnership.
- b. ☐ Although the domestic partner or former domestic partner of the proposed conservatee has terminated or intends to terminate the domestic partnership, it is in the best interest of the proposed conservatee that:
- (1) ☐ a conservator be appointed.
- (2) ☐ the domestic partner or former domestic partner be appointed as the conservator. (If you checked item 7b(1) or (2) or both, specify the facts and reasons in Attachment 7b.)

CONSERVATORSHIP OF (Name): <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>	CASE NUMBER: <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>
PROPOSED CONSERVATEE	

8. ATTENDANCE AT HEARING **Proposed conservatee**

- a. ☐ will attend the hearing AND ☐ is the petitioner ☐ is not the petitioner  
 AND ☐ has ☐ has not nominated the proposed conservator.
- b. ☐ is able but unwilling to attend the hearing AND ☐ does ☐ does not wish to contest the establishment of a conservatorship, ☐ does ☐ does not object to the proposed conservator,  
 AND ☐ does ☐ does not prefer that another person act as conservator.
- c. ☐ is unable to attend the hearing because of medical inability. An affidavit or certificate of a licensed medical practitioner or an accredited religious practitioner is affixed as Attachment 8c.
- d. ☐ is not the petitioner, is out of state, and will not attend the hearing.

9. ☐ Granting the proposed conservator of the estate powers to be exercised independently under Probate Code section 2590 would be to the advantage and benefit and in the best interest of the conservatorship estate. Powers and reasons are specified in Attachment 9.

10. ☐ a. There is no form of medical treatment for which the proposed conservatee has the capacity to give an informed consent.  
 b. A declaration executed by a licensed physician, stating that the proposed conservatee lacks the capacity to give informed consent for any form of medical treatment and giving reasons and the factual basis for this conclusion, ☐ is attached as Attachment 10 ☐ will be filed before the hearing.  
 c. Proposed conservatee ☐ is ☐ is not an adherent of a religion that relies on prayer alone for healing, as defined in Probate Code section 2355(b).

11. ☐ Filed with this petition is a *Petition for Appointment of Temporary Conservator* (form GC-110).

12. ☐ The names, residence addresses, and relationships of the spouse and all relatives within the second degree of the proposed conservatee, so far as known to petitioner, are

- a. ☐ listed below ☐ listed in Attachment 12a.  
 b. ☐ none.  
 c. ☐ not known, so relatives under Probate Code section 1821(b)(1)–(4) are ☐ listed below ☐ listed in Attachment 12c.

	Relationship and name	Residence address
(1)		
(2)		

13. ☐ Filed with this petition is a proposed *Order Appointing Court Investigator* (form GC-330).

14. Number of pages attached: \_\_\_\_\_

Date:  
 (All petitioners must also sign (Prob. Code, § 1020).)

 \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

 \_\_\_\_\_  
 (SIGNATURE OF PETITIONER)

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

 \_\_\_\_\_  
 (SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):      <div style="display: flex; justify-content: space-between;"> <div>           TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):         </div> <div>           FAX NO. (Optional):         </div> </div>	<b>FOR COURT USE ONLY</b>   <h2 style="margin: 0;">Draft 1</h2> <h2 style="margin: 0;">05/17/04</h2> <h2 style="margin: 0;">Not Approved</h2> <h2 style="margin: 0;">by the Judicial</h2> <h2 style="margin: 0;">Council</h2>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF (Name):	CONSERVATEE
<b>ORDER APPOINTING</b> <input type="checkbox"/> <b>SUCCESSOR</b> <b>PROBATE CONSERVATOR OF THE</b> <input type="checkbox"/> <b>PERSON</b> <input type="checkbox"/> <b>ESTATE</b> <input type="checkbox"/> <b>Limited Conservatorship</b>	CASE NUMBER:

**WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.**

1. The petition for appointment of ☐ successor conservator came on for hearing as follows  
 (check boxes c, d, e, and f or g to indicate personal presence):
- a. Judicial Officer (name):  
 Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ Dept.: \_\_\_\_\_ ☐ Room: \_\_\_\_\_
- c. ☐ Petitioner (name): \_\_\_\_\_
- d. ☐ Attorney for petitioner (name): \_\_\_\_\_
- e. ☐ Attorney for ☐ person cited ☐ the conservatee on petition to appoint successor conservator:  
 (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_
- f. ☐ Person cited was ☐ present. ☐ unable to attend. ☐ able but unwilling to attend. ☐ out of state.
- g. ☐ The conservatee on petition to appoint successor conservator was ☐ present. ☐ not present.

**THE COURT FINDS**

2. All notices required by law have been given.
3. (Name): \_\_\_\_\_
- a. ☐ is unable properly to provide for his or her personal needs for physical health, food, clothing, or shelter.
- b. ☐ is substantially unable to manage his or her financial resources or to resist fraud or undue influence.
- c. ☐ has voluntarily requested appointment of a conservator and good cause has been shown for the appointment.
4. The conservatee
- a. ☐ is an adult.
- b. ☐ will be an adult on the effective date of this order.
- c. ☐ is a married minor.
- d. ☐ is a minor whose marriage has been dissolved.
5. ☐ There is no form of medical treatment for which the conservatee has the capacity to give an informed consent.  
☐ The conservatee is an adherent of a religion defined in Probate Code section 2355(b).
6. ☐ Granting the ☐ successor conservator powers to be exercised independently under Probate Code section 2590 is to the advantage and benefit and in the best interest of the conservatorship estate.
7. ☐ The conservatee is not capable of completing an affidavit of voter registration.
8. ☐ The conservatee has dementia as defined in Probate Code section 2356.5, and the court finds all other facts required to make the orders specified in item 27.

Do NOT use this form for a temporary conservatorship.

CONSERVATORSHIP OF (Name): <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>	CASE NUMBER: <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>
CONSERVATEE	

9. ☐ Attorney (name): \_\_\_\_\_ has been appointed by the court as legal counsel to represent the conservatee in these proceedings. The cost for representation is: \$  
 The conservatee has the ability to pay ☐ all ☐ none ☐ a portion of this sum (specify): \$
10. ☐ The conservatee need not attend the hearing.
11. ☐ The appointed court investigator is (name): \_\_\_\_\_  
 (Address and telephone): \_\_\_\_\_
12. ☐ (For limited conservatorship only) The limited conservatee is developmentally disabled as defined in Probate Code section 1420.
13. ☐ The ☐ successor conservator is a private professional conservator as defined by Probate Code section 2341 who has filed with the court the confidential statement required by Probate Code section 2342.
14. The ☐ successor conservator (check a or b):
- a. ☐ is currently registered with the Statewide Registry maintained by the Department of Justice pursuant to Probate Code sections 2850–2855.
- b. ☐ is exempt from statewide registration under Probate Code sections 2850–2855.
15. (Either a, b, or c must be checked):
- a. ☐ The ☐ successor conservator is not the spouse of the conservatee.
- b. ☐ The ☐ successor conservator is the spouse of the conservatee and is not a party to an action or proceeding against the conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage.
- c. ☐ The ☐ successor conservator is the spouse of the conservatee and is a party to an action or proceeding against the conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage. It is in the best interests of the conservatee to appoint the spouse as ☐ successor conservator.
16. (Either a, b, or c must be checked):
- a. ☐ The ☐ successor conservator is not the domestic partner or former domestic partner of the conservatee.
- b. ☐ The ☐ successor conservator is the domestic partner of the conservatee and has neither terminated nor intends to terminate their domestic partnership.
- c. ☐ The ☐ successor conservator is the domestic partner or former domestic partner of the conservatee and intends to terminate or has terminated their domestic partnership. It is in the best interests of the conservatee to appoint the domestic partner or former domestic partner as ☐ successor conservator.

### THE COURT ORDERS

17. a. (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_
- is appointed** ☐ successor ☐ conservator ☐ limited conservator of the PERSON of (name): \_\_\_\_\_  
 and Letters of Conservatorship shall issue upon qualification.
- b. (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_
- is appointed** ☐ successor ☐ conservator ☐ limited conservator of the ESTATE of (name): \_\_\_\_\_  
 and Letters of Conservatorship shall issue upon qualification.
18. ☐ The conservatee need not attend the hearing.
19. a. ☐ Bond is not required.
- b. ☐ Bond is fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by law.
- c. ☐ Deposits of: \$ \_\_\_\_\_ are ordered to be placed in a blocked account at (specify institution and location): \_\_\_\_\_
- and receipts shall be filed. No withdrawals shall be made without a court order.  
☐ Additional orders in Attachment 19c.
- d. ☐ The ☐ successor conservator is not authorized to take possession of money or any other property without a specific court order.

20. ☐ For legal services rendered, ☐ conservatee ☐ conservatee's estate ☐ parents of the minor ☐ minor's estate shall pay to (name): \_\_\_\_\_ the sum of: \$ \_\_\_\_\_  
☐ forthwith ☐ as follows (specify terms, including any combination of payors): \_\_\_\_\_

- Date: \_\_\_\_\_
- \_\_\_\_\_  
JUDICIAL OFFICER
- ☐ SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):  <div style="display: flex; justify-content: space-between;"> <div>TELEPHONE NO. :</div> <div>FAX NO. (Optional):</div> </div> <div>E-MAIL ADDRESS (Optional):</div> <div>ATTORNEY FOR (Name):</div>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name):  <div style="text-align: right;">CONSERVATEE</div>	
<b>ORDER APPOINTING PROBATE CONSERVATOR</b> <input type="checkbox"/> Limited Conservatorship	CASE NUMBER:
<b>WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.</b>	

1. The petition for appointment of conservator came on for hearing as follows (check boxes c, d, e, and f to indicate personal presence):

a. Judge (name):

b. Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ Dept.: \_\_\_\_\_ ☐ Room: \_\_\_\_\_

c. ☐ Petitioner (name):

d. ☐ Attorney for petitioner (name):

e. ☐ Attorney for person cited (name, address, and telephone):

f. Person cited was ☐ present ☐ unable to attend ☐ able but unwilling to attend ☐ out of state

#### THE COURT FINDS

2. All notices required by law have been given.

3. (Name):

a. ☐ is unable properly to provide for his or her personal needs for physical health, food, clothing, or shelter.

b. ☐ is substantially unable to manage his or her financial resources or to resist fraud or undue influence.

c. ☐ has voluntarily requested appointment of a conservator and good cause has been shown for the appointment.

4. Conservatee

a. ☐ is an adult.

b. ☐ will be an adult on the effective date of this order.

c. ☐ is a married minor.

d. ☐ is a minor whose marriage has been dissolved.

5. ☐ There is no form of medical treatment for which the conservatee has the capacity to give an informed consent.

☐ Conservatee is an adherent of a religion defined in Probate Code section 2355(b).

6. ☐ Granting the conservator powers to be exercised independently under Probate Code section 2590 is to the advantage and benefit and in the best interest of the conservatorship estate.

7. ☐ Conservatee is not capable of completing an affidavit of voter registration.

8. ☐ Conservatee has dementia as defined in Probate Code section 2356.5, and the court finds all other facts required to make the orders specified in item 25.

9. ☐ Attorney (name): \_\_\_\_\_ has been appointed by the court as legal counsel to represent the conservatee in these proceedings. The cost for representation is: \$

The conservatee has the ability to pay ☐ all ☐ none ☐ a portion of this sum (specify): \$

10. ☐ Conservatee need not attend the hearing.

11. ☐ The appointed court investigator is (name, address, and telephone):

12. ☐ (For limited conservatorship only) The limited conservatee is developmentally disabled as defined in Probate Code section 1420.

Do NOT use this form for a temporary conservatorship.

CONSERVATORSHIP OF (Name): <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>	CASE NUMBER: <div style="border-bottom: 1px solid black; height: 1.2em; width: 100%;"></div>
CONSERVATEE	

13. ☐ The conservator is a private professional conservator as defined by Probate Code section 2341 who has filed with the county clerk the confidential statement required by Probate Code section 2342.
14. (Either a, b, or c must be checked):
- a. ☐ The conservator is not the spouse of the conservatee.
- b. ☐ The conservator is the spouse of the conservatee and is not a party to an action or proceeding against the conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage.
- c. ☐ The conservator is the spouse of the conservatee and is a party to an action or proceeding against the conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage. It is in the best interests of the conservatee to appoint the spouse as conservator.

### THE COURT ORDERS

15. a. (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_
- is appointed** ☐ conservator ☐ limited conservator of the PERSON of (name): \_\_\_\_\_  
 and Letters of Conservatorship shall issue upon qualification.
- b. (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_
- is appointed** ☐ conservator ☐ limited conservator of the ESTATE of (name): \_\_\_\_\_  
 and Letters of Conservatorship shall issue upon qualification.
16. ☐ Conservatee need not attend the hearing.
17. a. ☐ Bond is not required.
- b. ☐ Bond is fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by law.
- c. ☐ Deposits of: \$ \_\_\_\_\_ are ordered to be placed in a blocked account at (specify institution and location): \_\_\_\_\_  
 and receipts shall be filed. No withdrawals shall be made without a court order. ☐ Additional orders in Attachment 17c.
- d. ☐ The conservator is not authorized to take possession of money or any other property without a specific court order.
18. ☐ For legal services rendered, ☐ conservatee ☐ conservatee's estate ☐ parents of the minor ☐ minor's estate shall pay to (name): \_\_\_\_\_ the sum of: \$ \_\_\_\_\_  
☐ as specified in Attachment 18 ☐ as follows (specify terms, including any combination of payors): \_\_\_\_\_
19. ☐ Conservatee is disqualified from voting.
20. ☐ Conservatee lacks the capacity to give informed consent for medical treatment and the conservator of the person is granted the powers specified in Probate Code section 2355. ☐ The treatment shall be performed by an accredited practitioner of a religion as defined in Probate Code section 2355(b).
21. ☐ The conservator of the estate is granted authorization under Probate Code section 2590 to exercise independently the powers specified in Attachment 21 ☐ subject to the conditions provided.
22. ☐ Orders relating to the capacity of the conservatee under Probate Code sections 1873 or 1901 as specified in Attachment 22 are granted.
23. ☐ Orders relating to the powers and duties of the conservator of the person under Probate Code sections 2351-2358 as specified in Attachment 23 are granted. (Do not include orders under Probate Code section 2356.5 relating to dementia.)
24. ☐ Orders relating to the conditions imposed under Probate Code section 2402 upon the conservator of the estate as specified in Attachment 24 are granted.
25. a. ☐ The conservator of the person is granted authority to place conservatee in a care or nursing facility described in Probate Code section 2356.5(b).
- b. ☐ The conservator of the person is granted authority to authorize the administration of medications appropriate for the care and treatment of dementia described in Probate Code section 2356.5(c).

CONSERVATORSHIP OF (Name): _____ <div style="text-align: right;">CONSERVATEE</div>	CASE NUMBER:  
--	----------------------

26. ☐ Other orders as specified in Attachment 26 are granted.
27. ☐ The probate referee appointed is (*name and address*):
28. ☐ (*For limited conservatorship only*) Orders relating to the powers and duties of the limited conservator of the person under Probate Code section 2351.5 as specified in Attachment 28 are granted.
29. ☐ (*For limited conservatorship only*) Orders relating to the powers and duties of the limited conservator of the estate under Probate Code section 1830(b) as specified in Attachment 29 are granted.
30. ☐ (*For limited conservatorship only*) Orders limiting the civil and legal rights of the limited conservatee as specified in Attachment 30 are granted.
31. ☐ This order is effective on the ☐ date signed ☐ date minor attains majority (*specify*):
32. Number of boxes checked in items 15-31: \_\_\_\_\_
33. Number of pages attached: \_\_\_\_\_

Date:

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

☐ SIGNATURE FOLLOWS LAST ATTACHMENT